

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ASIAN-AMERICAN LICENSED
BEVERAGE ASSOCIATION, *et al.*,

Plaintiffs,

v.

CITY OF PHILADELPHIA, *et al.*,

Defendants.

:
:
:
:
:
:
:
:
:
:
:
:
:

Civil Action
No. 24-6348-JLS

ORDER

AND NOW, this ____ day of _____, 2025, upon consideration of Defendant City of Philadelphia's Motion for Leave to File Memorandum of Law in Excess of Page Limit, it is hereby **ORDERED** that the Motion is **GRANTED** and the City may file a Memorandum of Law in support of its Motion to Dismiss the Amended Complaint in excess of the applicable page limit, not to exceed 35 pages in length.

Jeffrey L. Schmehl, J.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ASIAN-AMERICAN LICENSED
BEVERAGE ASSOCIATION, *et al.*,

Plaintiffs,

v.

CITY OF PHILADELPHIA, *et al.*,

Defendants.

:
:
:
:
:
:
:
:
:
:
:
:
:

Civil Action
No. 24-6348-JLS

**DEFENDANT CITY OF PHILADELPHIA’S MOTION
FOR LEAVE TO FILE MEMORANDUM OF LAW IN EXCESS OF PAGE LIMIT**

Defendants City of Philadelphia asks this Court for permission to file a memorandum of law in excess of the applicable page limit and states the following in support thereof:

1. On November 26, 2024, Plaintiffs filed a forty-one-page Complaint, consisting of 286 paragraphs and seven counts.
2. All seven counts name the City as a defendant.
3. In response to Defendants’ Motions to Dismiss the Complaint, Plaintiffs filed an Amended Complaint on January 27, 2025, consisting of 348 paragraphs and twelve counts. ECF No. 28.
4. Ten of the twelve counts name the City as a defendant.
5. This Court’s Individual Rules limit all briefs and memoranda of law to twenty-five pages absent leave of Court. *See* Policies & Procedures at 5, <https://www.paed.uscourts.gov/sites/paed/files/documents/procedures/scmpol.pdf>.

6. Defendant City of Philadelphia respectfully requests leave to file a memorandum of law in support of their forthcoming Motion to Dismiss the Complaint in excess of twenty-five pages, not to exceed thirty-five pages.

7. The City submits that it must exceed the page limit to adequately address the separate theories of liability pleaded by Plaintiffs against the City, including constitutional claims for vagueness, overbreadth, the right to petition, equal protection, civil conspiracy, and declaratory relief.

Date: January 30, 2025

Respectfully submitted,

PHILADELPHIA LAW DEPARTMENT
RENEE GARCIA, CITY SOLICITOR

/s/ Ryan B. Smith

MELISSA MEDINA

Divisional Deputy City Solicitor

MICHAEL PFAUTZ

Deputy City Solicitor

Pa. Bar No. 325323

RYAN B. SMITH

Deputy City Solicitor

Pa. Bar No. 324643

City of Philadelphia Law Department

1515 Arch Street, 15th Floor

Philadelphia, PA 19102

(215) 410-8264

Ryan.Smith@phila.gov

Counsel for Defendant City of Philadelphia

CERTIFICATE OF SERVICE

I, Ryan B. Smith, hereby certify that on January 30, 2025, I caused a true and correct copy of the foregoing Defendant City of Philadelphia's Motion for Leave to File Memorandum of Law in Excess of Page Limit to be served via CM/ECF filing upon counsel for all parties.

Date: January 30, 2025

/s/ Ryan B. Smith
Ryan B. Smith
Deputy City Solicitor